

MINUTES
UTAH
CHIROPRACTIC PHYSICIAN LICENSING BOARD
MEETING
July 14th, 2011

Room 210 (Second Floor) - 9:00 a.m.
Heber M. Wells Building
Salt Lake City, UT 84111

CONVENED: 9:00 a.m.

Bureau Manager:

Board Secretary:

Board Members Present:

Board Member Absent

Guests:

Oath of Office

DOPL Staff Present:

TOPICS FOR DISCUSSION

ADMINISTRATIVE BUSINESS:

Minutes:

APPOINTMENTS:

Debbie Harry, Compliance Unit Specialist

ADJOURNED:11:03 a.m.

Sally A. Stewart

Sally Canavan

Craig D. Campbell, DC Chairman

Carlyle Bret Whittaker, DC

Michael D. Smithers, DC

Jay D. Anderson, DC

Ed Sperry, Public Member

Tim Apgood, Utah Chiropractic Physicians
Association

Jennifer Gundersen, wife of Bruce Gundersen

Neil Erickson, Utah Chiropractic Association

The oath of office was administered to Dr. Jay D.
Anderson.

Debbie Harry, Compliance Specialist

DECISIONS AND RECOMMENDATIONS

The minutes from the April 7th, 2011 were reviewed.
Dr. Whittaker made a motion, seconded by Dr.
Anderson, to approve the minutes as written. The
motion passed unanimously.

Ms. Harry presented the status reports on the
probationers being interviewed today.

Bruce Van Gundersen

Dr. Campbell interviewed Dr. Gundersen. He stated he is changing the software program he uses to keep track of his patients. The Board noted since Dr. Anderson has been appointed to the Board, Dr. Gundersen will need a new auditor from the Quality Control and Profession Standards Committee. The Board discussed the different options and decided Dr. Ted Conger would be the best choice even though Dr. Gundersen mentioned his relationship with Dr. Conger had in the past been adversarial. Dr. Anderson stated he had known Dr. Conger and he was always straight forward. Dr. Whittaker made a motion, seconded by Dr. Smithers that Dr. Conger be asked to act as auditor. The vote was unanimous. The Division will contact the committee by phone. The Division will inform the Board and Ms. Harry, she will let Dr. Gundersen know if Dr. Conger is available. He stated he is working 5 days a week and has one employee. Dr. Gundersen stated he is caring for his mother at his house and he has thirty-two hours towards his CEs. The Board reminded him to take good notes of the Probe program. The Board requested to see him at the October 13th, 2011 meeting.

Compliant

Michael K. Lindstrom

Dr. Smithers interviewed Dr. Lindstrom. He stated he is working outside of his own house. Dr. Lindstrom stated Dr. Berube will be his supervisor. He stated he completed the evaluation is currently waiting for results. Dr. Lindstrom stated the doctor who did the evaluation is Dr. Sears, that he has a copy of the MOU, and that Dr. Sears stated he would contact the Board see exactly what the Board wants. The Board noted Dr. Lindstrom's next report is due in July and September so they will be available for the October meeting. The Board also noted they needed a report from Dr. Sears. The Board noted the MOU states he complete an anger management course. He does not think he needs one. The Board will wait for the evaluation to see what it will recommend. The Board requested to meet with him again at the October 13th, 2011 meeting.

Compliant

**DISCUSSION ITEMS:
Oxidative Stress**

Jack Wignall and Ronald Jones from Life Vantage Corporation met with the Board. Mr. Wignall stated he has a background in health care. Mr. Wignall stated to the Board they had a program called Pro

Oxidative Stress (continued)

Tandum. He talked about their program and distributed a DVD and literature on the program to the Board. Mr. Jones stated he wanted to share some simple but compelling logic. He stated forty years ago researchers started asking questions about aging. The determination was that Free Radicals age the body and there was a naturally occurring enzyme in the body of younger people and the older people's body doesn't produce as much of. The lack of this enzyme is allowing the Free Radicals in the body to cause degenerative diseases. Mr. Wignall and Mr. Jones wanted to "sell" the ProTandum program. Dr. Campbell thanked them for their presentation and suggested they meet with Tim Appgood from the Utah Chiropractic Physicians Association.

New Clinic Concerns

Ms. Stewart and the Board noted there have been a lot of clinics appearing lately that seem to be franchises. The Board noted some of the franchises have advertised in the Salt Lake City Tribune. The advertisements stated they could do chiropractic services cheap by not using x-rays. The Board and members of the profession are concerned about damage to the body when you don't see what x-rays can show. Another concern is it may reflect badly on good Chiropractic Physicians who use x-rays and are careful with services performed. The Board discussed there may be a quality of care violation issue. Dr. Smithers stated these types of cheap services have been going on for long time, but now there are getting to be more and more of them. Dr. Whittaker made a motion, seconded by Dr. Anderson, to have the Quality Control and Professional Standards Committee make recommendation to the Board. The vote was unanimous. The Board discussed adding standards of care to their Rule. The Division stated they will contact the Quality Control and Profession Standards Committee and see if they would like to have a meeting. Any conclusions or recommendations can be presented on the agenda for August.

Utah Law and Rule - Exam

The Division was contacted by an applicant who stated he had not passed the Law and Rule exam. He stated the exam did not in any way comply with the current Laws and Rules. The Division is aware the exams have not been updated in three years or longer and is aware there have been Law and Rule changes in both

the Division's and the Chiropractic Physician's Laws and Rules in the last three years. The Law and Rule exam was developed by PSI and implemented in 2008 so it needs to be updated. The Board noted a review committee would be needed to determine any possible changes or updates on the exam. The Board discussed that a review would require there be qualified licensed individuals to take a look at the exam. As individuals, in order to see the exam, you must sign up to take it at a cost of \$72.00. The Board also noted the Quality of Care Committee might do the review. PSI's Law and Rule exam must be reviewed by subject matter experts in the field, to determine the relevance of the questions to your profession. The Board recommended more discussion on this at the next meeting.

The Board noted the bill passed in the last Legislative session requiring a Doctor of Chiropractic medicine to include his professional license name (Chiropractic Physician) as it appears on his license in any advertising has gone into effect without any noted concern.

Next Scheduled Meeting:

Thursday, October 13th, 2011

ADJOURN:

11:03 a.m. (no motion required)

Note: These minutes are not intended to be a verbatim transcript but are intended to record the significant features of the business conducted in this meeting. Discussed items are not necessarily shown in the chronological order they occurred.

Date Approved

Chairman
Chiropractic Physician Licensing Board

Date Approved

Bureau Manager
Division of Occupational & Professional Licensing